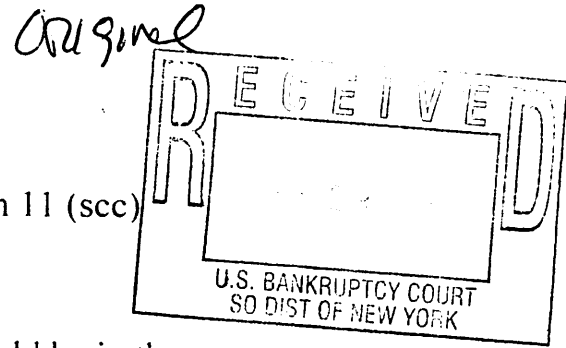


FEB 25, 2016

HON JUDGE CHAPMAN USBC SDNY

Re: Lehman/JPMorgan Settlement Case 08—13555 ch 11 (scc)

Your Honor:



I sent in a reply to the Motion for Sanctions which should be in the Clerk's Office tomorrow morning.

I continue to be bombarded by emails from the Lawyers. As I have explained several times, I never consented or joined the Case Management Plan nor published my email on any "pleading" and believe I am in complete compliance with the Federal Rules both Nationwide and Local on this subject. I keep track of what is happening mostly via EPIQ or by personal use of the terminal in the Clerk's Office.

This has given rise to several problems. I don't have 'a connection' to the Internet except from time to time either by Library Services or such places such as the former Internet Chinese Café there in NYC <commonly called 90 Bowery> where I pay for hourly use.

In the first instance, most libraries prohibit 'downloads' of anything.

In the second instance, most everything comes in Mandarin Chinese

As I don't speak or read Mandarin, the effect is obvious on anything emailed to me by the 'professionals'. https://en.wikipedia.org/wiki/Mandarin_Chinese

Further in the First Case

For example, I draw your attention to the computer use policy of the Law Library

of the Library of Congress. **Public Access Computers and Printers**

The Law Library Reading Room has public access computers with attached printers. These computers may be used for research purposes only. Patrons may access personal email accounts in connection with their research while at the Library

<http://www.loc.gov/law/visit/readingroom/policies.php#PACPrinters>

I am sure you honor grasps the concept that Libraries cannot have patrons creating dozens and dozens of 'attachments' which in this case purport to be legal documents having Jurisdictional Consequences.

Similarly,

To protect the integrity of our library's websites, and to ensure that they remain available to all users, we use software programs that monitor our web traffic. These programs identify unauthorized attempts to upload or change information, deny service, or otherwise cause damage to our website. Unauthorized attempts to upload or change information are strictly prohibited and may be a violation of the Computer Fraud and Abuse Act, 18 U.S.C. 1030. We may provide information about possible violations of the law to law enforcement officials.

We also reserve the right to prohibit programs that spider our websites, robot.txt files, or submit requests at a rate that negatively impacts the service to other patrons. We also require that software programs submit a total of no more than 10 requests per minute to our servers and request that all requests be submitted to our servers. We also reserve the right to terminate programs that request more than 24 hours to complete.

<https://www.loc.gov/legal/>

Most Libraries also prohibit either by administrator blocking or policy from downloads of anything. Accordingly all of the massive missives have been been put into **'storage and remain unread'**

Rule 5(b)(2)(b) (i) sending it by electronic means if the person consented in writing

Further as I don't own or even control the computers I use, I can never be sure something

didn't either go into spam or is blocked by the spam filter @ the main server. "but is not effective if the serving party learns that it did not reach the person to be served."

Now I understand that the Committee and it's Professional are 'demanding' that I come back to NYC for both proceedings before your honor and in US District Court. As I advised the Court, as of yesterday, only 1 slim envelope has come in the US MAIL. No letters and no massive documents.

I do not work for the Committee nor any of the Professionals nor am their servant or slave. Unless and until they comply with the appropriate Rules I see no reason as of today to do or go anything or anywhere.

I am tomorrow going to a wake for an old friend in Upstate NY who was also a parent to friends of my children. I offered to go to the Essex County Sheriff's Office tomorrow afternoon, if possible and accept service of those papers they allege to have mailed to me. This might require some tinkering with the re-direction function and also require a small fee of perhaps \$35 a document.

I believe the Sheriff will accept an attorney's check. Otherwise, I would even go as far as to advance the Estate the sums in Cash there in upstate NY < in the snow tomorrow > while they sit in Plush Offices in NYC.

In so far as really nothing has come as required by the Federal Rules, I don't feel that I am under any 'obligation' to come next week. On the other hand, I am not so foolish as to just ignore what has been placed on your Calender. Regretfully, EPIQ does not carry the District Court proceedings so I am pretty much in the dark as to what is planned there.

YOUR RULES

From what I can see, while this is dressed in the name of a 'conference' It is in reality a 'hearing'. It appears that well over 300 lawyers have been notified, not that it concerns me. As the Court may recall, it was the handiwork of the 'Professionals' that circumvented your Honor even considering my standing early this month by filing the 'uncontested'? document.

So if you were to apply your Scheduling Requirements, "Requests for relief requiring a hearing that are filed without first obtaining a hearing date will not be scheduled for hearing on the Court's calendar." Further "Pursuant to Local Rule 5070-1, a moving party or applicant must contact Chambers to obtain a hearing date prior to filing¹ and serving a motion, cross-motion, application or any other request for relief requiring a hearing" As I doubt that anything like this has ever happened before *it would seem appropriate that your honor strike this from your Calendar. Or at least adjourn it until cooler heads come before the court pending replacement of those lawyers presently appearing.*

The very idea of back to back appearances in both your Court and over at Foley Square will not, I suppose go over well with the 2nd Circuit².

Pretty close to forum shopping in the general meaning of the words.

¹ It will come as no surprise that the papers ever come to me in a timely fashion.

² By this mad rush to District Court, in a case that is almost 10 years old, will almost clearly extend the window before anything is 'final' ie USDC to 2nd Circuit? 7 to 14 months? USSC 3 months ? just to file Petitions putting this well into 2018 maybe 2019. It's pretty close to a vote of 'no confidence' in your Honor.

Tortious Interference and other Conjectures

If I were to be able to select a District Judge, I would opt for the *Hon. Jed S. Rakoff*.

Further, the Debtor might coax Richard Krasnow³ out of

Retirement, he was after all the boon companion for Mr. Miller for a long time and at least he would have recognized me in the back of your Courtroom and put an end to this low key drama with a simple but effective depositing of the funds into the Court's Registry, where your honor and not the parties would then control that sum of money and perhaps motivate the final end⁴ of the

Lehman Saga instead of perhaps another 10 years of the the Lawyers Full Employment Act. Otherwise I expect to see another billion \$ USD+ paid out for fee's.

Or Perhaps if it were/is in your power, to revoke the confirmation and move the case into Ch 7. I would support the appointment of former Gov George Pataki as the Trustee. I recall suggesting his name -after the State Comptroller's office requested a Trustee in 2008.

I have been trying to get my arms around the core and non-core matters which I have never understood as well as the recent Supreme Court Cases on Stern? Etc.

³ <http://www.weil.com/people/richard-krasnow>

⁴ Or perhaps just a plan old no reserve auction of what is left.

As the Committee more or less circumvented⁵ the normal procedure it seems to me as of today, that the Complaint they have is really best addressed in NY State Supreme Court and not in your Federal Court System. Of course that would mean that they would have to disclose all the discovery and perhaps even more leading to who knows what results. For example, the restraint on stock being traded might be lifted and somehow come into the hands of a few hedge funds who might find a way to pull the remainder away from your honor's ears and eyes for good. Or the Government might conclude that there is a RICO within Lehman after the Petition Date and all the remaining assets would all be forfeit to the United States.

At last look, there were almost 1,000⁶ pages on the Docket of Claims Trading, why there was not a sub-docket⁷, I don't know but it sure makes for confusion. In round numbers, some 65% of the entire docket is what I might call chaff⁸. In any event, I am sure it will be interesting. I would ask that the Court at least direct **the cessation of the ineffectual email torrent and follow normal**

procedure

Respectfully,

William Kuntz, III India St PO Box 1801

Nantucket Ma 02554-1801

Feb 25, 2016 Hopkinton, Ma

⁵ In essence, the Committee Professionals reserved to itself a Decision your Honor should have made
⁶ Of the 52,000 items almost 1/2 are Claims Transfers.

⁷ There are also some 7,300 Affidavits on just under 300 pages.

⁸ **Chaff ... defensive mechanisms employed <and deployed> to avoid detection and/or attack by adversary systems... Düppel [https://en.wikipedia.org/wiki/Chaff_\(countermeasure\)](https://en.wikipedia.org/wiki/Chaff_(countermeasure))**

Risk Management

JPMorgan Chase & Co.

270 Park Avenue

New York, NY 10017-2070

Re: Lehman Brothers

Sir/Madam:

A week or so ago, I faxed² your law firm appearing in this matter and

It seems that within a few days it moved into other hands so to speak...

As I had sent this in semi-confidence, I was neither surprised or annoyed,

but it seems you might be well served to give the deadwood/old farts the

Heave-Ho and get some young tigers. It seems that it is said that they want to

support the present "management" of Lehman in a Court Proceeding but

will not put it into writing.

Perhaps I can do something for the bank that it cannot do for itself.

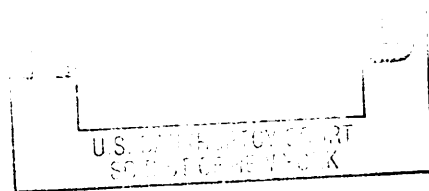
William Kuntz, III

India St PO Box 1801

Nantucket Island, Massachusetts 02554

Copies as Needed

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² As attached

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William Kuntz, III

India St PO Box 1801

Nantucket Island, Massachusetts 02554

Copies as Needed ✓

Copies as Needed

² As attached

Feb 26, 2016

HON Judge Chapman USBC SDNY

Re: Lehman/Morgan Matter.

Enclosed please find my thoughts on the so called Conference of next week.

On my way up to Essex County, NY It came to me that if your Honor

Ordered me to Appear, I will. Otherwise, since I have nothing more than a collection of electrons some where in the world on a Yahoo Computer Server and nothing on paper, I will not appear.

As Indicated, I offered to accept Service here today from the Essex County Sheriff which would at least give me a weekend to prepare a bit and of course travel from the Canadian Border back to NY. I would accept Your Order's Service next Monday or Tuesday from the US Marshall in your Lobby there in the Old Custom House. As I recall, the Judge in Tulsa also ordered me to appear over a \$500 credit card bill from the collapsed First American Bank so I did fly to Okla on Southwest from New Hampshire's Manchester Airport by way of Saint Louis as I recall.

Respectfully,


William Kuntz, III

India St PO Box 1801

Nantucket Island, Massachusetts 02554

SO ORDERED USBC SDNY